

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
BRENDAN A. HURSON  
UNITED STATES DISTRICT JUDGE

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October 31, 2024

LETTER TO ALL COUNSEL OF RECORD

Re: *Courthouse News Service v. Rupp, et al.*  
Civil No. 22-00548-BAH

Dear Counsel:

I am in receipt of ECF 120, your joint motion to vacate Judge Hollander's 81-page Memorandum Opinion (ECF 66) denying Plaintiff's motion for a preliminary injunction and Defendants' motion to dismiss. While I agree that a court has the authority to "reconsider and modify its interlocutory judgments," *Am. Canoe Ass'n v. Murphy Farms, Inc.*, 326 F.3d 505, 514–15 (4th Cir. 2003), the joint motion fails to provide sufficient justification for reconsidering or modifying Judge Hollander's opinion and accompanying order. As such, I ask the parties to please submit additional authority, facts, and argument supporting the joint request to vacate Judge Hollander's opinion. The joint submission can be filed on the docket as joint correspondence by next Friday, November 8, 2024.

If the request is based solely on the fact that the parties have settled the case and simply wish to have Judge Hollander's opinion erased from the record, I direct the parties to the discussion of vacatur in *Merrill v. Cont. Freighters, Inc.*, No. 19-CV-02309-CMA-SKC, 2022 WL 1102527, at \*2 (D. Colo. Apr. 13, 2022), and the opinion of the Magistrate Judge it affirmed, *Merrill v. Cont. Freighters, Inc.*, 2021 WL 4990304, at \*2 (D. Colo. Oct. 27, 2021). I also ask the parties to, if possible, point me to cases from this circuit, preferably this district, where the vacatur of a prior order was entered solely because the parties settled. Finally, I ask the parties to clarify whether a Rule 111 Order can be entered regardless of my ruling on ECF 120.

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely,

/s/

Brendan A. Hurson  
United States District Judge